

3746  
IFW

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 19020	
In Re Application Of: Greg Collier, et al.					
Application No. 10/541,995	Filing Date July 13, 2005	Examiner Unassigned	Customer No. 23389	Group Art Unit Unassigned	Confirmation No. 8073
Title: <b>OBESITY-RELATED GENES</b>					
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
37 CFR 1.97(b)					
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.					
37 CFR 1.97(c)					
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:					
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);					
OR					
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).					

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b)(1)-(3))

Docket No.

19020

In Re Application of: Greg Collier, et al.

NOV 13 2006  
PATENT & TRADEMARK OFFICE

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/541,995	July 13, 2005	Unassigned	23389	Unassigned	8073

Title:

**OBESITY-RELATED GENES****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa	
(Date)	
Signature	
Typed or Printed Name of Person Signing Certificate	

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
November 7, 2006	
(Date)	
Signature of Person Mailing Correspondence	
Xiaochun Zhu	
Typed or Printed Name of Person Mailing Certificate	

**\*This certificate may only be used if paying by deposit account.**  
Signature

Dated: November 7, 2006

Xiaochun Zhu  
Registration No. 56,311  
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Greg Collier, et al.

**Examiner:** Unassigned

**Serial No.:** 10/541,998

**Art Unit:** Unassigned

**Filed:** July 13, 2005

**Docket:** 19020

**For:** OBESITY-RELATED GENES

**Dated:** November 7, 2006

**Confirmation No.:** 8073

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

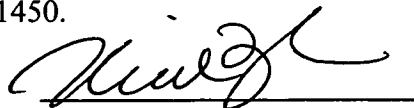
1. Database EMBL [Online], "Mus Musculus mRNA for Ndr1 Related Protein Ndr2, Complete Cds", Database Accession No. AB033921 (1999), XP-002383947;
2. Okuda T. et al., "Identification of New Genes *Ndr2* and *Ndr3* Which Are Related to *Ndr1/RTP/Drg1* but Show Distinct Tissue Specificity and Response to N-Myc", *Biochemical & Biophysical Research Communications* 266(1):208-215 (1999), XP-002383928;

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 7, 2006

  
Xiaochun Zhu

3. Civitarese A.E. et al., "Identification of Novel Genes Differentially Expressed in Skeletal Muscle of Psammomys Obesus Using Microarrays", *43(Suppl 1):A52* (2000), XP-009006109;
4. Oberkofler H. et al., "UCP3 Gene Expression Does Not Correlate With Muscle Oxidation Rates in Troglitazone-Treated Zucker Fatty Rats", *Biochimica et Biophysica Acta 1517(1):113-118* (2000); and
5. Matsuda J. et al., "Cloning of Rat Uncoupling Protein-3 and Uncoupling Protein-2 cDNAs: Their Gene Expression in Rats Fed High-Fat Diet", *FEBS Letter 418(1-2):200-204* (1997), XP-004261541.

The references were cited in a Supplemental Partial International Search Report dated July 5, 2006 received from the European Patent Office. Applicants are submitting copies of the above-cited references, together with a copy of the Supplemental Partial International Search Report. The relevance of the above-identified references has been described in the Supplemental Partial International Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Xiaochun Zhu  
Registration No. 56,311

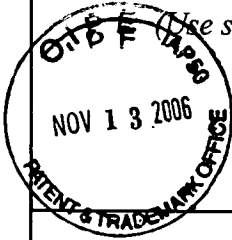
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

XZ:dg

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(REV. 7-80) PATENT AND TRADEMARK OFFICE

# **LIST OF PRIOR ART CITED BY APPLICANT**

(Use several sheets if necessary)



**Atty. Docket No. (Optional)**

19020

**Application Number**

10/541,998

**Applicant(s)**

Greg Collier, et al.

**Filing Date**

July 13, 2005

**Group Art Unit**

Unassigned

## **FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## **OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

		Database EMBL [Online], "Mus Musculus mRNA for Ndr1 Related Protein Ndr2, Complete Cds", Database Accession No. AB033921 (1999), XP-002383947
		Okuda T. et al., "Identification of New Genes <i>Ndr2</i> and <i>Ndr3</i> Which Are Related to <i>Ndr1/RTP/Drg1</i> but Show Distinct Tissue Specificity and Response to N-Myc", <i>Biochemical &amp; Biophysical Research Communications</i> 266(1):208-215 (1999), XP-002383928
		Civitaresse A.E. et al., "Identification of Novel Genes Differentially Expressed in Skeletal Muscle of Psammomys Obesus Using Microarrays", <i>43(Suppl 1):A52</i> (2000), XP-009006109
		Oberkofler H. et al., "UCP3 Gene Expression Does Not Correlate With Muscle Oxidation Rates in Troglitazone-Treated Zucker Fatty Rats", <i>Biochimica et Biophysica Acta</i> 1517(1):113-118 (2000)
		Matsuda J. et al., "Cloning of Rat Uncoupling Protein-3 and Uncoupling Protein-2 cDNAs: Their Gene Expression in Rats Fed High-Fat Diet", <i>FEBS Letter</i> 418(1-2):200-204 (1997), XP-004261541

**EXAMINER**

**DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.